

PROPOSED AMENDMENTS
ZOAM 2007-0004
November 5, 2009, Revised 12/1/09

Amend the following sections of the Revised 1993 Loudoun County Zoning Ordinance to add the Use Type "Farm market (off-site production)" within the Use Category of Retail Sales and Service as a special exception use:

- 2-101 AR-1 (Agricultural Rural – 1),
- 2-202 AR-2 (Agricultural Rural – 2),
- 2-1003 JLMA-1 (Joint Land Management Area – 1),
- 2-1103 JLMA-2 (Joint Land Management Area – 2),
- 2-1203 JLMA-3 (Joint Land Management Area -3),
- 2-1303 JLMA-20 (Joint Land Management Area – 20),
- 2-1402 TR-10 (Transitional Residential – 10),
- 2-1502 TR-3 (Transitional Residential – 3),
- 2-1602 TR-2 (Transitional Residential – 2),
- 2- 1702 TR-1 (Transitional Residential – 2)

5-603 Farm Markets may be located in accord with the lists of permitted and special exception uses for the individual zoning districts, subject to the following additional provisions:

- (A) Except as provided in subsection (F) below, a A minimum of 25% of the ~~gross sales receipts~~ products offered for sale sold must be derived directly from agricultural, ~~horticultural, aquacultural, or animal husbandry~~ horticultural, aquacultural, or animal husbandry products produced on site or on other property owned or leased by the operator of the Farm Market in Loudoun County. An annual report verifying this percentage ~~the portion of sales derived from products produced on-site~~ shall be submitted ~~on request~~ upon request to the Zoning Administrator upon request.
- (B) Farm Markets shall be located on a hard surfaced Class I or Class II road having a minimum paved width of eighteen (18) feet. The entrance ~~to the farm market~~ shall have safe sight distance and may be required to have right and left turn lanes as determined by the Virginia Department of Transportation.
- (C) Sales area for accessory products shall be limited to ten (10) percent of the total area devoted to sales. The calculation of total sales area shall include areas devoted to the display of items for sale.
- (D) Permitted accessory products include pottery, baskets, garden accessories, baked goods, floral supplies and other items directly related to the culture, care, use of, or processing of a principal use. Products not related to the principal permitted use such as lawn mowers and tractors shall not be allowed.

(E) Retail sales areas within structures shall not exceed, in the aggregate, 10,000 square feet of floor area or a Floor Area Ratio of .02, whichever is greater.

(F) Farm Markets (off-site production), in addition to Standards (B) through (E) above, Farm markets (off-site production) must meet the following additional standards:

~~(G)~~ (1) A minimum of twenty five percent (25%) of the products offered for sale sold at the Farm Market (off-site production) must be produced in Loudoun County. An annual report verifying this percentage shall be submitted to the Zoning Administrator on request.

~~(G)~~ (2) Parking spaces for Farm Markets (off-site production) are calculated shall be provided at a rate of 4/1,000 square feet of floor area of indoor and outdoor sales area, with a required minimum of 10 spaces per establishment.

~~(H)~~ (3) Landscaping/Buffering/Screening.

~~(4)~~ (a) Buffer. The use shall comply with the landscaping and screening standards of Section 5-653(A)

~~(4)~~ (b) Parking Areas. Parking areas shall be screened to comply with the requirements of Section 5-653(B).

~~(4)~~ (c) Storage Areas. All storage areas shall be screened and landscaped consistent with the standards of Section 5-653(C).

Division C: Required Development Approvals

Section 6-700 Site Plan Review.

6-701 Site Plan Required. Site plan approval is required prior to the development of any land when the development or land falls within the following categories:

(A) All uses in the commercial districts.

(B) All uses in the industrial districts.

(C) All nonresidential uses in the AR-1 and AR-2 Districts, but excluding permitted uses within the "agriculture support and services related to agriculture, horticulture, and animal husbandry" use category that do not involve access by the public as a part of such use. ~~Agricultural, horticulture, and animal husbandry permitted uses or those uses requiring a Rural Sketch Plan as identified in Section 6-701 do not require a site plan.~~

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(D) Agricultural, horticulture, and animal husbandry permitted uses or those uses requiring a Rural Sketch Plan as identified in Section 6-703 6-701 do not require a site plan.

~~(D)~~ (E) All permitted uses in the residential districts, except for agricultural structures and single family attached and detached dwellings, or those uses requiring a Sketch Plan as identified in Section 6-703, and accessory uses and structures allowed under Section 5-101.

~~(E)~~ (F) Those special exception uses and structures which require a site plan.

~~(F)~~ (G) Any development in which any required off-street parking space is to be used by more than one establishment.

~~(G)~~ (H) When an alteration or amendment is proposed to the site improvements or design of a previously approved site plan.

~~(H)~~ (I) When an existing residential use is proposed for a change to a commercial, industrial, or multi-family residential use.

~~(I)~~ (J) All public buildings and institutions.

~~(J)~~ (K) All other uses involving a building required to be reviewed by the Planning Commission under Section 15.2-2232 of the Code of Virginia, as amended.

~~(K)~~ (L) Above-ground structures associated with a public utility, utility substation, water or sewer pumping station, water or sewer treatment facility or commercial communication tower.

~~(L)~~ (M) Temporary or permanent parking uses and parking structures.

6-702 Site Plan Requirements. The requirements for submissions, review and approval of all types of site plans shall be pursuant to the Land Subdivision and Development Ordinance and the Facilities Standards Manual. In addition to the submission requirements of the Facilities Standards Manual, the following materials shall be submitted as part of the initial submission for any type of site plan application, as applicable:

- (A) The approved concept development plan, rezoning plat, or special exception plat;
- (B) The Copy Teste of the Board of Supervisors action on such plan or plat;
- (C) A copy of the approved proffers and/or special exception conditions;

- (D) A copy of any zoning determinations or modifications, FSM waiver letters, state and federal wetlands permits, and LSDO determination letters pertaining to the subject property.

6-703 ~~Rural~~ Sketch Plan

- (A) A ~~Rural~~ Sketch Plan is required as part of a zoning permit application ~~in the A-3, A-10, AR-1, and AR-2 zoning districts~~ for the following permitted uses: Animal Care Business, Child Care Home, Farm Market ~~but not including excluding the use Farm Market (without on-off-site production, which shall require a site plan)~~, Stable (Private or Neighborhood), and Wayside Stand.
- (B) ~~Rural~~ A Sketch Plan shall include a drawing of all aspects of the business operations including the location, size and dimensions of buildings, the size and dimensions of areas within existing structures to be used for the business; size, dimensions, and location of any accessory structures, outdoor storage yards, and location of any accessory structures, outdoor storage yards, and screening buffering; quantity and dimensions of parking spaces; location of proposed signs, if any; location of wells and septic systems; and the approximate location of any on-site floodplain as determined from the County map. In addition, the ~~Rural~~ Sketch plan shall including the location and width of entrances and adjacent right-of-way, adjoining properties, and easements.
- (C) The ~~Rural~~ Sketch Plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structures to adjacent lot lines must be accurately depicted.

ARTICLE 8, DEFINITIONS:

Farm Market: A principal use which includes the sale of aquacultural, horticultural or agricultural products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agricultural products. A minimum of twenty five percent (25%) of the products offered for sale ~~sold~~ must be aquacultural, horticultural, animal husbandry or agricultural products produced on-site or on other property owned or leased by the operator of the Farm Market within Loudoun County. A Farm Market shall be located on the site of ongoing agricultural, horticultural or aquacultural activity unless stated otherwise provided elsewhere in the Zoning Ordinance.

Farm Market (off-site production): A principal use which includes the retail sale of aquacultural, horticultural or agricultural products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agricultural products. A minimum of twenty five percent (25%) of the products offered for sale sold must be aquacultural, horticultural, animal husbandry or agricultural products produced within Loudoun County. A Farm market (off-site

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production) An Agricultural market may or may not be located on the site of ongoing
agricultural, horticultural or aquacultural activity. This use may include the sale of
products from one or more vendors.